



Minutes of MAYOR AND COUNCIL Meeting

Approved by Mayor and Council
on May 16, 2006

Date of Meeting: April 18, 2006

The Mayor and Council of the City of Tucson met in regular session in the Mayor and Council Chambers in City Hall, 255 West Alameda Street, Tucson, Arizona, at 5:37 p.m. on Tuesday, April 18, 2006, all members having been notified of the time and place thereof.

1. ROLL CALL

The meeting was called to order by Mayor Walkup and upon roll call, those present and absent were:

Present:

José J. Ibarra	Council Member Ward 1
Carol W. West	Council Member Ward 2
Karin Uhlich	Council Member Ward 3
Shirley C. Scott	Council Member Ward 4
Steve Leal	Vice Mayor, Council Member Ward 5
Nina J. Trasoff	Council Member Ward 6
Robert E. Walkup	Mayor

Absent/Excused

None

Staff Members Present:

Mike Hein	City Manager
Michael Rankin	City Attorney
Kathleen S. Detrick	City Clerk
Mike Letcher	Deputy City Manager

Kathleen S. Detrick, City Clerk, announced Susie Rogers would be assisting with anyone in the audience needing Spanish language translation for items listed on the agenda.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Kathleen S. Detrick, City Clerk, after which the Pledge of Allegiance was presented by the entire assembly.

Presentations:

- a. Mayor Walkup proclaimed the month of April to be "Month of the Young Child". Susan Eck was present to accept the proclamation.

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

Mayor Walkup announced City Manager's communication number 182, dated April 18, 2006, would be received into and made a part of the record. He also announced this was the time scheduled to allow members of the Council to report on current events and asked if there were any reports.

- a. Mayor Walkup announced that Council Member Scott received an award at the Pima Community College Board of Governors, Qualities of Excellence meeting. She was honored for her work on the collaboration of the partnership between the College, the City and the County on the building of the Clements Recreational Center.

4. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS

Mayor Walkup announced City Manager's communication number 183, dated April 18, 2006, would be received into and made a part of the record. He also announced this was the time scheduled to allow the City Manager to report on current events, and asked for that report.

No report was given.

5. LIQUOR LICENSE APPLICATIONS

Mayor Walkup announced City Manager's communication number 181, dated April 18, 2006, would be received into and made a part of the record. He asked the City Clerk to read the Liquor License Agenda.

b. New Licenses

1. Wings and Rice, Ward 6
5502 E. Pima Suite 102
Applicant: Lona Mee Hyang Kang
Series 12, City 15-06
Action must be taken by: April 23, 2006
Staff has indicated the applicant is in compliance with city requirements.
2. KG's Cafe & Cantina, Ward 1
1003 N. Stone Ave.
Applicant: Karin Maria Barbara
Series 12, City 16-06
Action must be taken by: April 24, 2006
Staff has indicated the applicant is in compliance with city requirements.

c. Special Event

1. Strength Building Partners, Ward 2
2970 N. Swan Rd.
Applicant: Camerone Elise Parker
City T19-06
Date of Event: April 28, 2006
Annual Fundraiser - "Celebrate Children 2006"
Staff has indicated the applicant is in compliance with city requirements.
2. St. Cyril Catholic Church, Ward 6
4725 E. Pima
Applicant: John Howland Taber
City T20-06
Date of Event: April 29, 2006
Fundraising
Staff has indicated the applicant is in compliance with city requirements.
3. Satori, Inc., Ward 3
3727 N. First Ave.
Applicant: Yvonne L. Schultz
City T21-06
Date of Event: April 29, 2006
Yearly Auction
Staff has indicated the applicant is in compliance with city requirements.

d. Agent Change

1. Riverpark Inn, Ward 1
350 S. Freeway
Applicant: Lloyd Christian Sutter
Series 11, City AC07-06
Action must be taken by: May 4, 2006
Staff has indicated the applicant is in compliance with city requirements.

It was moved by Council Member Trasoff, duly seconded, and carried by a voice vote of 7 to 0, to forward liquor license applications 5b1 and 5b2, 5c1 through 5c3 and 5d1 to the Arizona State Liquor Board with a recommendation for approval.

6. CONSENT AGENDA – ITEMS A THROUGH I

Mayor Walkup announced the reports and recommendations from the City Manager on the Consent Agenda Items would be received into and made a part of the record. He asked the City Clerk to read the Consent Agenda.

A. TUCSON CODE: AMENDING (CHAPTER 12) ALLOWING THE OPTION FOR THE CITY TO CONDUCT MAIL BALLOT ELECTIONS

1. Report from City Manager APRIL18-06-185 CITY-WIDE
2. Ordinance No. 10269 relating to elections; pursuant to Tucson Charter Chapter IV, Section 1, Paragraph 20 and A.R.S. § 16-409, authorizing the Mayor and Council to conduct any City election by mail ballot; requiring all City elections held on the same date to use the same method of voting; for mail ballot elections, authorizing the City Clerk, with Mayor and Council approval, to designate a number of sites where ballots may be cast that complies with Tucson Charter Chapter XVI, Section 10, and additional sites where ballots may be cast or other election facilities as needed; authorizing the City Clerk to promulgate rules, regulations, procedures, and forms necessary to conduct City elections and to carry out the provisions of Tucson Code Chapter 12 and Tucson Charter Chapter XVI, XIX, XX, and XXI; making necessary technical and administrative amendments to accommodate the option of mail ballot elections; amending Tucson Code Chapter 12 by repealing current Tucson Code Section 12-1.2, by adding new Tucson Code Sections 12-1.2 and 12-1.3, and by amending Tucson Code Sections 12-1.1, 12-7, 12-18, 12-19, 12-22, 12-24, 12-25, 12-26, 12-27, 12-28, and 12-29; and declaring an emergency.

Item A was considered separately at the request of Vice Mayor Leal.

B. REAL PROPERTY: DEVELOPMENT AGREEMENT WITH RIO NUEVO MULTIPURPOSE FACILITIES DISTRICT AND BP POST INVESTORS, LLC FOR THE POST DEVELOPMENT PROJECT

1. Report from City Manager APRIL18-06-186 WARD 6
2. Resolution No. 20320 relating to Rio Nuevo Multipurpose Facilities District; approving and authorizing a Development Agreement with BP Post Investors, L.L.C., and the Rio Nuevo Multipurpose Facilities District for the development of the Post Development Project; and declaring an emergency.

Item B was considered separately at the request of Council Member Trasoff.

C. INDUSTRIAL DEVELOPMENT: AUTHORIZATION FOR THE ISSUANCE OF TUCSON INDUSTRIAL DEVELOPMENT AUTHORITY JOINT SINGLE FAMILY MORTGAGE REVENUE BONDS

1. Report from City Manager APRIL18-06-187 CITY-WIDE
2. Resolution No. 20321 relating to industrial development; approving and authorizing the issuance by the Industrial Development Authority of the City of Tucson, Arizona, of Joint Single Family Mortgage Revenue Bonds, Draw Down Series 2006, in one or more subseries, in an aggregate principal amount not to exceed \$100,000,000 in furtherance of the Joint Single Family Mortgage Revenue Bond Draw Down Program of 2006 of the Industrial Development Authority of the City of Tucson, Arizona, and the Industrial Development Authority of the County of Pima; and declaring an emergency.

Kathleen S. Detrick, City Clerk, announced the resolution initially did not include a copy of the resolution that the Industrial Development Authority approved, it was now included.

D. GENERAL SERVICES: APPROVAL OF AN UPDATED SUSTAINABLE ENERGY STANDARD FOR CITY BUILDING CONSTRUCTION PROJECTS

1. Report from City Manager APRIL18-06-188 CITY-WIDE
2. Resolution No. 20322 relating to Sustainable Energy Standards: authorizing and approving application of the Sustainable Energy Standards to certain City buildings, additions, modifications and renovations and requiring compliance with the requirements of the Leadership in Energy and Environmental Design Program at the Silver Certification level or higher; and declaring an emergency.

E. APPROVAL OF MINUTES

1. Report from City Manager APRIL18-06-189 CITY-WIDE
2. Approval of minutes for the regular meetings of the Mayor and Council held on February 28, 2006 and March 21, 2006.

F. MEMORIAL: URGING THE ARIZONA STATE BOARD OF EDUCATION TO APPROVE AN ELECTION ON A PIMA COUNTY JOINT TECHNOLOGICAL EDUCATION DISTRICT

1. Report from City Manager APRIL18-06-190 CITY-WIDE
2. A Memorial relating to the Pima County Joint Technological Education District; urging the Arizona State Board of Education to approve a call for an election on the plan for the Pima County Joint Technological Education District.

G. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO RITA RANCH NEIGHBORHOOD ASSOCIATION FOR THE ANNUAL FAMILY FUN DAY

1. Report from City Manager APRIL18-06-191 WARD 4
2. Resolution No. 20324 relating to Finance; approving and authorizing the allocation of five hundred dollars (\$500) from the Community Support Fund, Account No. 001-183-1898-268, the Rita Ranch Neighborhood Association for the Rita Ranch Annual Family Fun Day; and declaring an emergency.

This is a request by Council Member Scott. Allocation of funds is as follows: Council Member Scott \$500.00.

H. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO WORLD CARE TOOLS FOR SCHOOLS PROGRAM

1. Report from City Manager APRIL18-06-192 WARD 4
2. Resolution No. 20325 relating to Finance; approving and authorizing the allocation of five hundred dollars (\$500) from the Community Support Fund, Account No. 001-183-1898-268, to World Care for the "Tools for Schools" program; and declaring an emergency.

This is a request by Council Member Scott. Allocation of funds is as follows: Council Member Scott - \$500.00.

Item H was considered separately at the request of Council Member West.

I. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO NATIONAL YOUTH SPORTS PROGRAM

1. Report from City Manager APRIL18-06-193 WARD 3
2. Resolution No. 20326 relating to Finance; approving and authorizing the allocation of two hundred dollars (\$200) from the Community Support Fund, Account No. 001-183-1898-268, to the National Youth Sports Program to provide transportation for participants to the University of Arizona; and declaring an emergency.

This is a request by Council Member Uhlich. Allocation of funds is as follows: Council Member Uhlich - \$200.00.

It was moved by Council Member Ibarra, duly seconded, that Consent Agenda Items A through I, with the exception of Items A, B and H, which would be considered separately, be passed and adopted and the proper action taken.

Mayor Walkup asked if there was further discussion. Upon hearing none, he asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Ibarra, West, Uhlich, Scott, and Trasoff;
Vice Mayor Leal and Mayor Walkup

Nay: None

Consent Agenda Items A through I, with the exception of Items A, B, and H, which would be considered separately, were declared passed and adopted by a roll call vote of 7 to 0.

6. CONSENT AGENDA – ITEMS A THROUGH I

A. TUCSON CODE: AMENDING (CHAPTER 12) ALLOWING THE OPTION FOR THE CITY TO CONDUCT MAIL BALLOT ELECTIONS

1. Report from City Manager APRIL18-06-185 CITY-WIDE

2. Ordinance No. 10269 relating to elections; pursuant to Tucson Charter Chapter IV, Section 1, Paragraph 20 and A.R.S. § 16-409, authorizing the Mayor and Council to conduct any City election by mail ballot; requiring all City elections held on the same date to use the same method of voting; for mail ballot elections, authorizing the City Clerk, with Mayor and Council approval, to designate a number of sites where ballots may be cast that complies with Tucson Charter Chapter XVI, Section 10, and additional sites where ballots may be cast or other election facilities as needed; authorizing the City Clerk to promulgate rules, regulations, procedures, and forms necessary to conduct City elections and to carry out the provisions of Tucson Code Chapter 12 and Tucson Charter Chapter XVI, XIX, XX, and XXI; making necessary technical and administrative amendments to accommodate the option of mail ballot elections; amending Tucson Code Chapter 12 by repealing current Tucson Code Section 12-1.2, by adding new Tucson Code Sections 12-1.2 and 12-1.3, and by amending Tucson Code Sections 12-1.1, 12-7, 12-18, 12-19, 12-22, 12-24, 12-25, 12-26, 12-27, 12-28, and 12-29; and declaring an emergency.

Vice Mayor Leal complimented the City Clerk's office for working with the Ward 5 staff to carry forward the issue of changing the City of Tucson electoral system to vote by mail. He also thanked his colleagues for their enthusiasm and hard questions. Vice Mayor Leal said he believed that over time this effort would shape into a successful vehicle that would make democracy in the community friendlier, and allow more people to embrace the franchise and have a roll in shaping the destiny of our community.

It was moved by Vice Mayor Leal, duly seconded, that Consent Agenda Item A be passed and adopted and the proper action taken.

Mayor Walkup asked if there was further discussion. Upon hearing none, he asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Ibarra, West, Uhlich, Scott, and Trasoff;
Vice Mayor Leal and Mayor Walkup

Nay: None

Consent Agenda Item A was declared passed and adopted by a roll call vote of 7 to 0.

6. CONSENT AGENDA – ITEMS A THROUGH I

B. REAL PROPERTY: DEVELOPMENT AGREEMENT WITH RIO NUEVO MULTIPURPOSE FACILITIES DISTRICT AND BP POST INVESTORS, LLC FOR THE POST DEVELOPMENT PROJECT

1. Report from City Manager APRIL18-06-186 WARD 6
2. Resolution No. 20320 relating to Rio Nuevo Multipurpose Facilities District; approving and authorizing a Development Agreement with BP Post Investors, L.L.C., and the Rio Nuevo Multipurpose Facilities District for the development of the Post Development Project; and declaring an emergency.

Council Member Trasoff said she was pleased that they were in agreement with all of the major aspects of the development with Bourn Partners. She wanted to thank and congratulate City staff, as well as Mr. Bourn and his organization, for working diligently to bring the item to this point in a timely fashion. There were some points that required some additional language and she preferred this item be continued for one week

It was moved by Council Member Trasoff, duly seconded, and carried by a voice vote of 7 to 0, that Consent Agenda Item B be continued for one week.

6. CONSENT AGENDA – ITEMS A THROUGH I

H. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO WORLD CARE TOOLS FOR SCHOOLS PROGRAM

1. Report from City Manager APRIL18-06-192 WARD 4
2. Resolution No. 20325 relating to Finance; approving and authorizing the allocation of five hundred dollars (\$500) from the Community Support Fund, Account No. 001-183-1898-268, to World Care for the “Tools for Schools” program; and declaring an emergency.

This is a request by Council Member Scott. Allocation of funds is as follows: Council Member Scott - \$500.00.

Council Member West announced that she would like to contribute two hundred and fifty dollars to “Tools for Schools”.

It was moved by Council Member Scott, duly seconded, that Consent Agenda Item H be passed and adopted and the proper action taken.

Kathleen S. Detrick, City Clerk, announced there would be an amendment to Resolution No. 20325 to include a contribution of two hundred and fifty dollars from Ward 2 in addition to the original five hundred dollars from Ward 4, to reflect the total contribution to seven hundred and fifty dollars.

Mayor Walkup asked if there was further discussion. Upon hearing none, he asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Ibarra, West, Uhlich, Scott, and Trasoff;
Vice Mayor Leal and Mayor Walkup

Nay: None

Consent Agenda Item H was declared passed and adopted by a roll call vote of 7 to 0.

7. CALL TO THE AUDIENCE

Mayor Walkup announced this was the time any member of the public was allowed to address the Mayor and Council on any issue except items scheduled for a public hearing. Speakers would be limited to three-minute presentations and the Call to the Audience was scheduled to last for thirty minutes.

- a. David Bachman Williams spoke about the Armory Park incident on April 10, 2006. He felt that the individual police officers did their best, but the leadership of the police needed additional training. During his experience in large protests with counter protestors, the two opposing groups were always kept apart and this did not occur at the march. He recommended that police leadership be given training on how to handle touchy situations with protestors and counter-protestors in the future.
- b. Robert Reus spoke in opposition to the Regional Transportation Authority plan, because of the lack of funding for the maintenance of streets in the plan. He also expressed his skepticism over the City's plan to have growth pay for fire, police and street maintenance.
- c. Michael Toney spoke against the design development for the University of Arizona Science Center going forward before the Intergovernmental Agreement was put in place. He also spoke about Rio Nuevo and an archeological dig.

8. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Mayor Walkup announced City Manager's communication number 184, dated April 18, 2006, would be received into and made a part of the record.

Mayor Walkup asked if there were any personal appointments.

Council Member West announced her personal appointment of David Bentley as the Ward 2 representative to the Tucson-Pima County Metropolitan Energy Commission.

9. ADJOURNMENT 6:01 p.m.

Mayor Walkup announced the Mayor and Council would stand adjourned until its next regularly scheduled meeting to be held on Tuesday, April 25, 2006, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.

MAYOR

ATTEST:

CITY CLERK

CERTIFICATE OF AUTHENTICITY

I, the undersigned, have read the foregoing transcript of the meeting of the Mayor and Council of the City of Tucson, Arizona, held on the 18th day of April 2006, and do hereby certify that it is an accurate transcription.

DEPUTY CITY CLERK

KSD:cs/plp